

REMARKS

Applicant's remarks, below, are preceded by quotations of the related comments of the Examiner in small, bold-face type.

2. Claims 1, 3-13, 15-25, and 27-42 are rejected under 35 U.S.C. 102(e) as being anticipated by *FOX* et al. (US 2002/0069174).
FOX et al. teach a computer-implemented method for providing access to an account of a second party, comprising:
inputting identification information for the account of the second party;
based on the identification information, receiving an account information that defines a right of a first party to access computer programs associated with the account of the second party (abstract, [0016], and claim 20); and
accessing the account of the second party based on the account information [0010];
enabling the first party to access the account of the second party based on the account information [0009].

Independent claims 1 and 13:

Fox does not disclose "enabling the first party to access the account data based on the account information, without receiving the authenticator of the second party" as required by Applicant's amended claim 1. Fox does not disclose that Fox's "user," "second party," or "seller" is enabled to access account data. Moreover, even if for the sake of this argument, it could be inferred that a party in Fox could be enabled to access account data, Fox does not disclose what the enabled access would be based on, much less that it would be "based on the account information, without receiving the authenticator of the second party," where the Applicant's "second party" is the party whose account is being accessed.

For at least these reasons, Fox does not anticipate and would not have made obvious claim 1. Claims 3-8, 37 and 43 depend on claim 1 and are patentable for at least the same reasons as for claim 1. Independent claim 13 includes the same limitations quoted in the argument above for claim 1 and is patentable for at least the same reasons as for claim 1, as are its dependent claims 15-20 and 38.

Independent claims 9, 21 and 33:

Fox does not disclose "providing account information to a storage device associated with the first party for use in accessing the account data, wherein the account information does not contain the authenticator of the second party" as required by Applicant's amended claim 9. Fox does not disclose that Fox's "user," "second party," or "seller" is associated with a storage device to which is provided account information for use in accessing account data. Moreover, even if for the sake of this argument, it could be inferred that account information could be provided to a storage device associated with a party in Fox for use in accessing account data, Fox does not disclose that such account information would not contain the authenticator of the second party, where the Applicant's "second party" is the party whose account is being accessed.

For at least these reasons, Fox does not anticipate and would not have made obvious claim 9. Claims 10-12 depend on claim 9 and are patentable for at least the same reasons as for claim 9. Independent claims 21 and 33 include the same limitations quoted in the argument above for claim 9 and are patentable for at least the same reasons as for claim 9, as are their dependent claims 22-24 and 34-36.

Independent claim 25:

Fox does not disclose instructions to "enable access to the account data based on the account information, without receiving the authenticator of the second party" as required by Applicant's amended claim 25. Fox does not disclose enabling access to account data. Moreover, even if for the sake of this argument, it could be inferred that access to account data could be enabled, Fox does not disclose what the enabled access would be based on, much less that it would be "based on the account information, without receiving the authenticator of the second party," where the Applicant's "second party" is the party whose account is being accessed.

For at least these reasons, Fox does not anticipate and would not have made obvious claim 25. Claims 27-32 and 39 depend on claim 25 and are patentable for at least the same reasons as for claim 25.

Independent claims 40-42:

Fox does not disclose "permitting access to the account data based on the account information, without receiving the authenticator of the second party" as required by Applicant's amended claim 40. Fox does not disclose permitting access to account data. Moreover, even if for the sake of this argument, it could be inferred that access to account data could be permitted, Fox does not disclose what the permitted access would be based on, much less that it would be "based on the account information, without receiving the authenticator of the second party," where the Applicant's "second party" is the party whose account is being accessed.

For at least these reasons, Fox does not anticipate and would not have made obvious claim 40. Independent claims 41 and 42 include the same limitations quoted in the argument above for claim 40 and are patentable for at least the same reasons as for claim 40.

Applicant's discussion of particular positions of the Examiner does not constitute a concession with respect to any positions that are not expressly contested by the Applicant. Applicant's emphasis of particular reasons why the claims are patentable does not imply that there are not other sufficient reasons why the claims are patentable. Applicant's amendment of the claims does not constitute a concession that the claims are not allowable in their unamended form.